

- 3 Times, a newspaper published at Davenport, Iowa, and the Iowa City  
4 Press-Citizen, a newspaper published at Iowa City, Iowa.

Approved May 14, 1957.

I hereby certify that the foregoing Act, House File 330, was published in the Iowa City Press-Citizen, Iowa City, Iowa, May 16, 1957, and in The Daily Times, Davenport, Iowa, May 17, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 240

### EMINENT DOMAIN SURVEY

#### H. F. 160

AN ACT to permit the survey of land prior to the right to exercise the right of eminent domain.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section four hundred eighty-nine point fourteen  
2 (489.14), Code 1954, is hereby amended by adding thereto the fol-  
3 lowing:

4 "Any person, company or corporation proposing to construct a  
5 transmission line or other facility which involves the taking of prop-  
6 erty under the right of eminent domain and desiring to enter upon  
7 the land, which it proposes to appropriate, for the purpose of exam-  
8 ining or surveying the same, shall first file with the Iowa state com-  
9 merce commission or with the county board of supervisors in the  
10 county the land is situated, a written statement under oath setting  
11 forth the proposed routing of the line or facility including a descrip-  
12 tion of the lands to be crossed, the names and addresses of owners,  
13 together with request that a permit be issued by said commission or  
14 board of supervisors authorizing said person, company or corpora-  
15 tion or its duly appointed representative to enter upon the land for  
16 the purpose of examining and surveying and to take and use thereon  
17 any vehicle and surveying equipment necessary in making the survey.  
18 Said commission or board of supervisors shall within ten (10) days  
19 after said request issue a permit, accompanied by such bond in such  
20 amount as the commission or board of supervisors shall approve, to  
21 the person, company or corporation making said application, if in its  
22 opinion the application is made in good faith and not for the purpose  
23 of harassing the owner of the land. If the commission or the board  
24 of supervisors is of the opinion that the application is not made in  
25 good faith or made for the purpose of harassment to the owner of  
26 said land it shall set the matter for hearing and it shall be heard not  
27 more than twenty (20) days after filing said application. Notice of  
28 the time and place of hearing shall be given by said commission, or  
29 board of supervisors, to the owner of said land by registered mail  
30 with a return receipt requested, not less than ten (10) days preced-  
31 ing date of hearing.

32 Any person, company or corporation that has obtained a permit  
33 in the manner herein prescribed may enter upon said land or lands,  
34 as above provided, and shall be liable for actual damages sustained in

35 connection with such entry. An action in damages shall be the  
36 exclusive remedy.

1 SEC. 2. This Act being deemed of immediate importance shall be  
2 in full force and effect upon its publication in the Belmont Independ-  
3 ent, a newspaper published at Belmont, Iowa, and in the Earlham  
4 Echo, a newspaper published at Earlham, Iowa.

Approved May 1, 1957.

I hereby certify that the foregoing Act, House File 160, was published in the Belmont Independent, Belmont, Iowa, May 9, 1957, and in the Earlham Echo, Earlham, Iowa, May 9, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

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## CHAPTER 241

### LIFE INSURANCE MEDICAL EXAMINATION

H. F. 84

AN ACT relating to medical examination of applicants for life insurance and to amend section five hundred eight point twenty-eight (508.28), Code 1954.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section five hundred eight point twenty-eight (508.28),  
2 Code 1954, is hereby amended by striking all of said section after the  
3 word "thereto" in line five (5), by inserting a period after the said  
4 word "thereto", and adding the following: "The policy shall be in-  
5 contestable after it shall have been in force during the lifetime of the  
6 insured for two years from its date, except for nonpayment of pre-  
7 miums."

Approved March 14, 1957.

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## CHAPTER 242

### GROUP INSURANCE

H. F. 130

AN ACT to amend chapter five hundred nine (509), Code 1954, relating to group insurance.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section five hundred nine point one (509.1), Code  
2 1954, is hereby amended as follows:  
3 1. By inserting after the word "provides" in line five (5) of para-  
4 graph *d* of subsection one (1) the word "term".  
5 2. By inserting after the word "other" in line six (6) of paragraph  
6 *d* of subsection one (1) the word "term".  
7 3. By inserting after the word "provides" in line five (5) of para-  
8 graph *d* of subsection four (4) the word "term".